

SUMMARY ANALYSIS OF AMENDED BILL

Franchise Tax Board

Author: Polanco Analyst: Roger Lackey Bill Number: SB 843

Related Bills: See Prior Analysis Telephone: 845-3627 Amended Date: 07-03-2000

Attorney: Patrick Kusiak Sponsor:

SUBJECT: Information Technology Management/Duties of Heads of State Agencies and Director of Information Technology

DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended _____.

AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.

AMENDMENTS DID NOT RESOLVE THE DEPARTMENT'S CONCERNS stated in the previous analysis of bill as amended June 19, 2000.

FURTHER AMENDMENTS NECESSARY.

DEPARTMENT POSITION CHANGED TO _____.

REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED June 19, 2000, STILL APPLIES.

OTHER - See comments below.

SUMMARY OF BILL

This bill would establish specific policies and practices to enable state agencies to improve upon the use of information technology (IT). This bill also would extend the authority of the Director of Information Technology.

This analysis will address the bill only as it impacts the department's programs and operations.

SUMMARY OF AMENDMENTS

The July 3, 2000, amendments revised earlier provisions of the bill that would have renamed the Department of Information Technology (DOIT) as the Information Technology Agency and would have renamed the director of DOIT as the Secretary of Information Technology and the state chief information officer. The amendments reinstate existing law references to DOIT and the director of DOIT.

The amendments also made other technical changes and revised provisions of the bill to reflect retention of the terms Department of Information Technology (DOIT) and the director of DOIT.

Except for the discussion in this analysis, the analysis of the bill as amended June 19, 2000, still applies, including the department's policy and implementation concerns, which are repeated below.

Policy Considerations

This bill would expand upon the existing authority of the director of DOIT. Currently the director has the authority to initiate, suspend, or terminate an IT project.

Board Position:

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☐ SA
☐ N

☐ NA
☐ O
☐ OUA

☐ NP
☐ NAR
☐ PENDING

Legislative Director

Date

Johnnie Lou Rosas

7/27/00

Specifically, this bill would expand that authority to permit the director to take action independent of the head of a state agency or the governing board of a state agency for IT resource management and for investments made relating to IT. This expanded authority would result because the director would have the authority to take any authorized action he or she considers appropriate to enforce accountability by the head of a state agency, including an action involving the budgetary process or the appropriations management process.

Currently, state agencies seeking budget augmentation or appropriations must have approval of the state agency, the Department of Finance, the Legislature, and the Governor to obtain the requested funds. Moreover, for the Franchise Tax Board, these decisions also must be made by the three-member Board. It is unclear from this bill how the authority of the director would be exercised in connection with the current budget appropriation and augmentation processes, in addition to the authority of the three-member Franchise Tax Board concerning budgetary matters.

Implementation Considerations

To the extent that this bill expands the authority of the director of DOIT to take any authorized action that he or she feels appropriate to enforce accountability by a state agency head, the impact to the department is unclear.

BOARD POSITION

Support.

At its meeting on March 27, 2000, the Franchise Tax Board voted 2-0 to take a support position on this bill, with Member B. Timothy Gage abstaining.